

1925. ✓

File No. 1576-25-

Previous References.

(Courts)

Serial Nos. 1-2

Ch 158-19 (1-2)

Later references.

Ch 103-31-142

PRESERVED

[Signature]

GENERAL & REVENUE SECRETARIAT

Serial Nos. 2

Part B for December 1925-

SUBJECT

Corrigendum to criminal rule of practice
No 87 of 17-2-1926 re. the furnishing of security by the
Head Ministerial officers of the Special Magistrate
Courts

G.O. No. 3170-88 23-12-25

To the Regs. Secy. Secy.
Dns of D. O.

Sanctioned

M. G. Nayai
4/1/26

Previous references.

Later references.

1915:16.

(1914)

File No. 40-15.

Serial Nos. 1942

GENERAL AND REVENUE SECRETARIAT.

Serial Nos.

1942.

Part B for

June, 1916

SUBJECT.

The Details Contingent Bill of the
Office of the Registrar of
Society in the month of June, 1916.

for Rs. 204-10-0.

Serial 21

to the Comptroller.

No 7290. 219. 6. 1916.

Forwarded to the Comptroller the above
bill duly counter-signed for audit.

GENERAL AND REVENUE SECRETARIAT.

(65)

NOTES.

File No. 154

FILE HEADING.

Security from the Head Members of the Special
Magistrates Courts

From

The Depy Secy court

Doc No. 654

Dated 8.12.25

Received 11.12.25

Diary No. 2406

Enclos. 1

Spare Copies.

Serial No. 1

BRIEF ABSTRACT OF LETTER.

Reports for reasons explained that the Security to be furnished
by the Head Members of Special Magistrates Courts in the State be fixed at
Rs 500/- in the case of courts of the City Magistrate Bangalore and Mysore and
Special Magistrates court at K. G. 7 and at Rs 250/- in the case of other
courts

NOTES AND ORDERS.

Intd with a draft sanctioning for orders - Magistrate

(L. Secy)

1st copy

401
16.1214/12/25
12/12Jcy
18/1220
19.12

Issue

19.12

Serial
No

2

To the Regr. Bling. Court
D. no. of dist.
G.O. no. 3170-88 23-12-25
Sanctions in recommendation of
the Regr. Bling. Court made in sl 1.

Telegraphic }
Address. } "JUSTICE"

CHIEF COURT OF MYSORE

Bangalore, dated 8th December 1925.

No. Rr 654
25-26 Enc 1

No 154-25-1



A. SREENIVASARAGAVACHARI, Esq., B.A., B.L.,
Registrar, Chief Court of Mysore.

B. NAGAPPA, Esq., Bar-at-Law.,
Secretary to Government,
Local & Legislative Depts.,
B a n g a l o r e.

SIR,

Page 2 of 2
Vol II of
Criminal
Dept.

I am directed to invite reference to Criminal Rule of Practice No.87 dated the 17th February 1920, requiring the Head Ministerial officer of every court of a Magistrate to furnish security, the issue of which was sanctioned in Government Proceedings No.G. 18642/Cts.158-19-2 dated the 14th February 1920, and to state that when the Chief Court issued it there were only two grades of Magistrates' Courts viz., First and Second and it was also understood that 1st grade Magistrates' Courts should be presided over by 1st class Magistrates and 2nd Grade Magistrates' Courts by 2nd class Magistrates. As the amount of security to be furnished will vary with the importance of the cases tried in the particular court, a sum of Rs.500/- was fixed in the case of the City Magistrates of Mysore and Bangalore and the Special Magistrate, K.G.F., Rs.300/- in the case of all other Special I Grade Magistrates and Rs.200/- in the case of the 2nd Grade Magistrates' Courts.

The distinction in regard to the classes of cases to be tried as between Magistrates' Courts of different grades has ceased to exist. A cadre of 3rd grade Magistrates has since come into existence and many Magistrates presiding over Courts nominally 2nd and 3rd grade exercise first class powers. It has become therefore necessary to amend the former Rule of Practice to suit the present conditions of Special Courts.

In now fixing the amount of security the basis of "class" and not of "grade" of the Court has to be taken into consideration; but even this will present some difficulty. At present Magistrates are transferred from one grade of Court to another and it may happen that a 3rd grade Magistrate's Court is presided over by a 1st class Magistrate and so far as the trial of cases is concerned, is practically nothing else than a first class court. If a particular incumbent should be transferred and the officer appointed in his place is one invested with higher or lower magisterial powers, the result will be that the security furnished by the Head Ministerial officer should also be increased or decreased - a rather inconvenient procedure. Except in the case of the Courts of the City Magistrates of Bangalore and Mysore and the Special Magistrate, Kolar Gold Fields (where it may be certain that only first grade and 1st class Magistrates will necessarily be posted), the work of the other Special Magistrates' Courts in the moffusil, 1st, 2nd or 3rd grade, is more or less equal in importance and volume and there will not be such great difference as to require the amount of security to be graded.

The Chief Court in these circumstances consider that the amount of security may remain as at present, as regards the Courts of the City Magistrates of Bangalore and Mysore and the Special Magistrate, Kolar Gold Fields, and it may be fixed at Rs.250/- as regards other Special Magistrates' Courts, irrespective of the grades of the Court or the class of the officers presiding over it.

I am to request that Government may accordingly be pleased to accord their sanction to the issue of the enclosed corrigendum to the said R.P.No.87.

I have the honour to be,
Sir,
Your most obedient servant,

Heenirajopasani
REGISTRAR. 9/12/45

1686

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IN THE CHIEF COURT OF MYSORE AT BANGALORE.

Criminal Side.

Corrigendum dated the to
Criminal Rule of Practice 87, dated the 17th February
1920.

The Chief Court directs that the following be
substituted for the existing rule regarding the fur-
nishing of security by the Head ministerial officers
of the Special Magistrates Courts:-

"The Head ministerial officer of every Special
Magistrate's Court shall furnish security by bond with
deposit of title deeds of immoveable property or de-
posit of cash or Government Promissory notes. The
amount of security will be Rs.500/- in the case of
the Courts of the City Magistrates of Mysore and
Bangalore and the Special Magistrate, Kolar Gold
Fields and Rs. 250 in the case of all other Special
Magistrates' Courts. "

N.V.

Therunio adparachari
9/12/25
FOR REGISTRAR.

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cho.

File No. 154-25

Serial No. 2

Diary No. of letter replied to _____

GENERAL AND REVENUE
SECRETARIAT.

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, the

191

Date of issue

23/12/25

Signed by

W. C. A. G.

Proceedings of the Government of His Highness
the Maharaja of Mysore

READ—

Letter no Noe 654 of 12-1925

from the Mysore High Courts requesting

for reasons given sanction to the

accompanying corrigendum to criminal

Rule of practice no 8 of 17-2-1920 regarding

ORDER THEREON.—No.

the furnishing of security by the

Head Ministerial officers of the

Special Magistrate Courts.

order

3170-8

Sanctioned

over

SUBJECT.

Cag. L. L. L. L.
14/12

Do

The Mysore High Court under act
"Dins of 55"

3/

11/12/25

Am
12/12